

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff,

v.

- [1] **ANTONIO ROBLES-RAMOS,**
aka "El Gordo;"
(Counts 1, 2 and 3)
- [2] **SAMUEL ROBLES-RAMOS;**
(Counts 1 and 2)
- [3] **ELLIOT GIRAUD-PIÑEIRO,**
aka "Pivi;"
(Counts 1, 2 and 6)
- [4] **OMAR GIRAUD-PIÑEIRO**
aka "Jun;"
(Counts 1 and 2)
- [5] **JUAN LEON-SERRANO;**
(Counts 1 and 2)
- [6] **CESAR GARCIA-CRUZ;**
(Count 1)
- [7] **FERNANDO PEREZ MATTEI;**
aka "Lolo;"
(Counts 1,2 and 4)
- [8] **RAUL SANTO DOMINGO;**
(Count 1)
- [9] **DAVID RAMOS-RIVERA;**
aka "Peca;"
(Count 1)
- [10] **RAUL RIVERA-PEREZ,**
aka "Macho;"
(Count 1)
- [11] **HERIBERTO CARBONELL-VEGA,**
aka "Capi;"
(Count 1)
- [12] **HERIBERTO CARBONELL-MATTEI;**
(Count 1)

INDICTMENT

CRIMINAL NO. 99- 125 (JAF)

VIOLATIONS:

Title 21, United States Code

Sections 846 and 853

Title 18, United States Code

Section 1956 (a)(1)(B)(i)

(SIX COUNTS)

RECEIVED
MAY 10 1999
Jm

k 2

INDICTMENT

Page 2

- [13] **ANGEL L. BELEN-MORALES,**
aka "Lily;"
(Count 1)
- [14] **JORGE CARBONELL-MATTEI,**
aka "Chechón;"
(Count 1)
- [15] **WILLIAM PEREZ-DE JESUS,**
aka "El Jíbaro;"
(Count 1)
- [16] **SAMUEL CARBONELL-GARCIA,**
aka "Wichi;"
(Count 1)
- [17] **HECTOR L. LUGO-BELEN,**
aka "Biliu;"
(Count 1)
- [18] **JOSE GUTIERREZ-SANABRIA;**
(Count 1)
- [19] **CARLOS GUTIERREZ-VAZQUEZ;**
(Count 1)
- [20] **CARLOS GUTIERREZ-SANABRIA,JR.;**
(Count 1)
- [21] **HECTOR GUTIERREZ-SANABRIA;**
(Count 1)
- [22] **FIDEL HERNANDEZ-MATTEI;**
(Count 1)
- [23] **ROBERTO HERNANDEZ-MATTEI;**
(Count 1)
- [24] **CARLOS HERNANDEZ-MATTEI;**
(Counts 1 and 2)
- [25] **MARCOS MATTEI-GARCIA,**
aka "El Gato;"
(Counts 1 and 2)
- [26] **INES GARCIA-CHERENA;**
(Counts 1,2 and 4)
- [27] **CARMELO AGUILERA-SANTIAGO,**
aka "Carmelo Mejil;"
(Counts 1 and 2)
- [28] **OMAR GONZALEZ-CARBONELL;**
(Count 1)

*INDICTMENT**Page 3*

- [29] **EDUARDO FLORES-CARBONELL**,
aka "Cuco El Yuca;"
(Counts 1 and 2)
- [30] **EUGENIO GONZALEZ-QUIÑONES**,
aka "Geño;"
(Counts 1 and 2)
- [31] **PABLO MATTEI-QUIÑONES**;
(Counts 1 and 2)
- [32] **ARCANGEL MATTEI-QUIÑONES**;
(Counts 1 and 2)
- [33] **LUIS RODRIGUEZ-TORRES**,
aka "Tito;"
(Counts 1 and 2)
- [34] **REYNALDO LEANDRY-SANTIAGO**;
(Counts 1 and 2)
- [35] **ALBERTO GONZALEZ-QUIÑONES**,
aka "Alberto Cha Cha;"
(Counts 1 and 2)
- [36] **AWILDA PIETRI-IRIZARRY**;
(Counts 1,2 and 3)
- [37] **NARCISO RODRIGUEZ**,
aka "Siso;"
(Counts 1 and 2)
- [38] **JORGE WILLIAM VARGAS-GARCIA**,
aka "Willie;"
(Counts 1 and 2)
- [39] **GILBERTO FELICIANO-CARBONELL**,
aka "Lelo;"
(Count 1)
- [40] **MARIBEL VARGAS-GARCIA**;
(Count 1)
- [41] **DANIEL FELICIANO-PUJOLS**;
(Counts 1 and 2)
- [42] **FESIL SANABRIA-MATTEI**;
(Count 1)
- [43] **WILFREDO ALMODOVAR-CASTRO**;
(Count 1)

INDICTMENT

Page 4

- [44] **MICHAEL GUTIERREZ-SANABRIA;**
(Count 1)
- [45] **EDWIN SANTIAGO-PAGAN,**
aka "Chivito";
(Count 1)
- [46] **RAMON GARCIA-CHERENA,**
aka "Maya";
(Count 1)
- [47] **MARIO VELEZ;**
(Count 1)
- [48] **ALEXIS MARTINEZ-CARBONELL,**
aka "Tito Martínez";
(Count 1)
- [49] **WALTER IRIZARRY-RUIZ;**
(Count 1)

Defendants.

THE GRAND JURY CHARGES:

COUNT ONE

From on or about a date to the Grand Jury unknown but not later than a day in 1991 to on or about the day of the return of this indictment, in the District of Puerto Rico and within the jurisdiction of this Court,

- [1] ANTONIO ROBLES-RAMOS,
aka "El Gordo;"
- [2] SAMUEL ROBLES-RAMOS;
- [3] ELLIOT GIRAUD-PIÑEIRO,
aka "Pivi;"
- [4] OMAR GIRAUD-PIÑEIRO,
aka "Jun;"
- [5] JUAN LEON-SERRANO;
- [6] CESAR GARCIA-CRUZ;
- [7] FERNANDO PEREZ-MATTEI,
aka "Lolo;"
- [8] RAUL SANTO DOMINGO;
- [9] DAVID RAMOS-RIVERA;

INDICTMENT

Page 5

- aka "Peca;"
- [10] RAUL RIVERA-PEREZ,
aka "Macho;"
- [11] HERIBERTO CARBONELL-VEGA,
aka "Capi;"
- [12] HERIBERTO CARBONELL-MATTEI;
- [13] ANGEL L. BELEN-MORALES,
aka "Lily;"
- [14] JORGE CARBONELL-MATTEI,
aka "Chechón;"
- [15] WILLIAM PEREZ-DE JESUS,
aka "El Jíbaro;"
- [16] SAMUEL CARBONELL-GARCIA,
aka "Wichi;"
- [17] HECTOR L. LUGO-BELEN,
aka "Biliu;"
- [18] JOSE GUTIERREZ-SANABRIA;
- [19] CARLOS GUTIERREZ-VAZQUEZ;
- [20] CARLOS GUTIERREZ-SANABRIA, JR.;
- [21] HECTOR GUTIERREZ-SANABRIA;
- [22] FIDEL HERNANDEZ-MATTEI;
- [23] ROBERTO HERNANDEZ-MATTEI;
- [24] CARLOS HERNANDEZ-MATTEI;
- [25] MARCOS MATTEI-GARCIA,
aka "El Gato;"
- [26] INES GARCIA-CHERENA;
- [27] CARMELO AGUILERA-SANTIAGO,
aka "Carmelo Mejil;"
- [28] OMAR GONZALEZ-CARBONELL;
- [29] EDUARDO FLORES-CARBONELL,
aka "Cuco El Yuca;"
- [30] EUGENIO GONZALEZ-QUIÑONES,
aka "Geño;"
- [31] PABLO MATTEI-QUIÑONES;
- [32] ARCANGEL MATTEI-QUIÑONES;
- [33] LUIS RODRIGUEZ-TORRES,
aka "Tito;"
- [34] REYNALDO LEANDRY-SANTIAGO;
- [35] ALBERTO GONZALEZ-QUIÑONES,
aka "Alberto Cha Cha;"
- [36] AWILDA PIETRI-IRIZARRY;

INDICTMENT
Page 6

- [37] NARCISO RODRIGUEZ,
aka "Siso;"
- [38] JORGE WILLIAM VARGAS-GARCIA,
aka "Willie;"
- [39] GILBERTO FELICIANO-CARBONELL,
aka "Lelo;"
- [40] MARIBEL VARGAS-GARCIA;
- [41] DANIEL FELICIANO-PUJOLS;
- [42] FESIL SANABRIA-MATTEI;
- [43] WILFREDO ALMODOVAR-CASTRO;
- [44] MICHAEL GUTIERREZ-SANABRIA;
- [45] EDWIN SANTIAGO-PAGAN,
aka "Chivito;"
- [46] RAMON GARCIA-CHERENA,
aka "Maya;"
- [47] MARIO VELEZ;
- [48] ALEXIS MARTINEZ-CARBONELL,
aka "Tito Martínez;"
- [49] WALTER IRIZARRY-RUIZ;

the defendants herein, did knowingly and intentionally combine, conspire and confederate and with divers other persons to this Grand Jury known and unknown, to commit against the United States the offense of knowingly and intentionally possessing with intent to distribute a controlled substance, to wit: more than five(5)kilograms of cocaine, a Schedule II Narcotic Drug Controlled Substance and heroin, more than one (1) kilogram of heroin, a Schedule I, Narcotic Drug Controlled Substance in violation of Title 21, United States Code, Section 841 (a)(1). All in violation of Title 21, United States Code, Section 846.

COUNT TWO

From on or about a date to the Grand Jury unknown but not later than a day in 1991 to on or about the day of the return of this indictment, in the District of Puerto Rico and within the jurisdiction of this Court,

INDICTMENT

Page 7

- [1] ANTONIO ROBLES-RAMOS,
aka "El Gordo;"
- [2] SAMUEL ROBLES-RAMOS;
- [3] ELLIOT GIRAUD-PIÑEIRO,
aka "Pivi;"
- [4] OMAR GIRAUD-PIÑEIRO,
aka "Jun;"
- [5] JUAN LEON-SERRANO;
- [7] FERNANDO PEREZ-MATTEI;
aka "Lolo;"
- [22] FIDEL HERNANDEZ-MATTEI;
- [24] CARLOS HERNANDEZ-MATTEI;
- [25] MARCOS MATTEI-GARCIA,
aka "El Gato;"
- [26] INES GARCIA-CHERENA;
- [27] CARMELO AGUILERA-SANTIAGO,
aka "Carmelo Mejil;"
- [29] EDUARDO FLORES-CARBONELL,
aka "Cuco El Yuca;"
- [30] EUGENIO GONZALEZ-QUIÑONES,
aka "Geño;"
- [31] PABLO MATTEI-QUIÑONES;
- [32] ARCANGEL MATTEI-QUIÑONES;
- [33] LUIS RODRIGUEZ-TORRES,
aka "Tito;"
- [34] REYNALDO LEANDRY-SANTIAGO;
- [35] ALBERTO GONZALEZ-QUIÑONES,
aka "Alberto Cha Cha;"
- [36] AWILDA PIETRI-IRIZARRY;
- [37] NARCISO RODRIGUEZ,
aka "Siso;"
- [38] JORGE WILLIAM VARGAS-GARCIA,
aka "Willie;"
- [41] DANIEL FELICIANO-PUJOLS;

the defendants herein, did unlawfully, knowingly, intentionally, and willfully combine, conspire, confederate, and agree together and with each other and with divers other persons, both known and unknown to the Grand Jury, to commit an offense against the United States in violation of Title 18, United States Code, Section 1956, namely:

*INDICTMENT**Page 8*

To knowingly conduct or attempt to conduct financial transactions, knowing that the proceeds involved in the financial transactions represented the proceeds of some form of unlawful activity, when the financial transactions in fact involved the proceeds of a specified unlawful activity, to wit: the distribution, sale and otherwise dealing in narcotics or other dangerous drugs, to wit: more than five (5) kilograms of cocaine, a Schedule II Narcotic Drug Controlled Substance and more than one (1) kilogram of heroin, a Schedule I, Narcotic Drug Controlled Substance in violation of Title 21, United States Code, Section 841 (a)(1) and 846, with the intent to promote the carrying on of specified unlawful activity and knowing that the transactions are designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of a specified unlawful activity, contrary to the provisions of Title 18, United States Code, Section 1956 (a)(1)(B)(i).

1. Pursuant to Title 18, United States Code, Section 982(a)(1), each defendant who is convicted of one or more of the offenses set forth in Count One and Two shall forfeit to the United States the following property:

a. All right, title, and interest in any and all property involved in each offense in violation of Title 18, United States Code, Section 1956, or conspiracy to commit such offense, for which the defendant is convicted, and all property traceable to such property, including the following: 1) all money or other property that was the subject of each transaction, transportation, transmission or transfer in violation of Section 1956(a)(1) or (2); 2) all commissions, fees and other property constituting proceeds obtained as a result of those violations; and 3) all property used in any manner or part to commit or to facilitate the commission of those violations.

INDICTMENT

Page 9

b. A sum of money equal to the total amount of money involved in each offense, or conspiracy to commit such offense, for which the defendant is convicted. If more than one defendant is convicted of an offense, the defendants so convicted are jointly and severally liable for the amount involved in such offense.

2. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), each defendant shall forfeit substitute property, up to the value of the amount described in paragraph 1, if, by any act or omission of the defendant, the property described in paragraph 1, or any portion thereof, cannot be located upon the exercise of due diligence; has been transferred, sold to or deposited with a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

COUNT THREE

1. The allegations of Count One and Two of this Indictment are realleged and by reference incorporated herein for the purpose of alleging forfeitures, pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offense charged in Count One and Two of this Indictment, the defendants herein,

[1] ANTONIO ROBLES-RAMOS,
aka "El Gordo;"

[36] AWILDA PIETRI-IRIZARRY;

shall forfeit to the United States any and all property constituting or derived from any proceeds said defendants obtained directly or indirectly as a result of the said violation, and any and all property

INDICTMENT

Page 10

used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One and Two of this Indictment, as to which property the defendants are jointly and severally liable, including but not limited to the following real estate properties more fully described in the Puerto Rico Property Registry, as:

- A. URBANA: Solar marcado con el Número Quince (15) del Boque "C" de la Calle #1 en el Plano de Inscripción de la Urbanización Estancias de Yauco, localizado en el Barrio Barinas de Yauco, con una cabida superficial de SETECIENTOS TREINTA Y UNO PUNTO OCHENTA METROS CUADRADOS, en lindes por el Norte, en 13.94 metros lineales con la Calle #1 de la urbanización; por el Sur, en una distancia de 42.11 metros lineales con la finca principal de la cual se segregó; por el Este, en una distancia de 35.52 metros lineales con la Calle #1 de la urbanización y por el Oeste, en una distancia de 25 metros lineales con la propiedad marcada con el número catorce. Sobre el antes descrito solar se ha edificado una casa de hormigón reforzado y bloques dedicada a vivienda y con condiciones Restrictivas.
Inscrita a favor de Antonio Robles Ramos y Awilda Pietri Irizarry.
(Finca #13,863; Folio 204; Tomo 367)
- B. RUSTICA: Porción de terreno sita en el Barrio Barinas del término municipal de Yauco, Puerto Rico, con un área superficial de CUARENTIUNA CUERDAS NUEVE MIL CIENTO OCHO DIEZ MILESIMAS DE OTRA, equivalentes a ciento sesenticuatro mil setecientos veintiseis metros cuadrados con cero ochocientos setentiuna diezmilésimas de otro, colindante por el Norte con terrenos de Dominga Cesari vda. de Rivera; por el Sur con finca de Domingo Guilormini (sic) y con el Rio Yauco; por el Este con terrenos de la Sucesión de Antonila Torres y otros hoy de Sucesión de Otilio García y por el Oeste con el Rio Yauco.
Inscrita a favor de Antonio Robles Ramos y Awilda Pietri Irizarry.
(Finca #5,774; Folio Movil Tomo 8 de Yauco)
- C. RUSTICA: Porción de terreno sita en el Barrio Barinas del término municipal de Yauco, Puerto Rico, de una cabida de 18 cuerdas 465 milésimas, equivalentes a 7 hectáreas, 25 áreas, 64 centiáreas, 83 miliáreas, colindante por el Norte con terreno de María Dominga Cesari de Rivera; por el Sur con terreno de Arturo Lluberas y Domingo Guillormini, ante de Alejandro Franceschi; por el Este con terrenos de María Dominga Cesari de Rivera; y por el Oeste con el Río Yauco.
Inscrita a favor de Antonio Robles Ramos y Awilda Pietri Irizarry.
(Finca #3,438; Folio Movil Tomo 3 de Yauco)
- D. RUSTICA: Porcion de terreno sita en el Barrrio Barinas del Termino Municipal de

INDICTMENT

Page 11

Yauco, Puerto Rico; de una cabida de CINCUENTA Y CINCO CUERDAS CUARENTA CENTIMAS (55.40) equivalentes a ventiuna (21) hectareas, setenta y siete (77) áreas y cincuenta y ocho (58) centiareas, colindante por el NORTE, Con La Hacienda San Rafael de la Sucesion Franceschi Antongiorgi; por el SUR, con terrenos de Francisco Cesari, Arturo Lluberas, Domingo Guilormini; por el ESTE, con Railroad Company, por el OESTE con las aguas del Rio. Esta atravesada de Este a Oeste por un camino municipal.

Inscrita a favor de Antonio Robles Ramos y Awilda Pietri Irizarry.
(Finca #1450 bis Folio 125 del Tomo 85 de Yauco).

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a
third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be subdivided without
difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

COUNT FOUR

1. The allegations of Count One and Two of this Indictment are realleged and by reference incorporated herein for the purpose of alleging forfeitures, pursuant to the provisions of Title 21, United States Code, Section 853.

INDICTMENT

Page 12

2. As a result of the offense charged in Count One and Two of this Indictment, the defendant herein,

[7] FERNANDO PEREZ-MATTEI;
aka "Lolo;"

shall forfeit to the United States any and all property constituting or derived from any proceeds said defendant obtained directly or indirectly as a result of the said violations, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One and Two of this Indictment, as to which property the defendants are jointly and severally liable, including but not limited to the following real estate properties more fully described in the Puerto Rico Property Registry, as:

- A. RUSTICA: Radicada en el Barrio Almacigo Bajo de Yauco, kilometro dos (2) carretera de Yauco a Lares, con una extension de cincuenta centimos de cuerda, equivalentes a diecinueve (19) áreas, sesenta y cinco (65) centiáreas. Colinda por el NORTE con la carretera de Yauco a Lares; por el SUR con terrenos de Vicente Pérez Torres; por el ESTE tierras de César Feroso y OESTE tierras de Vicente Perez Torres. Esta cercada. Contiene un edificio de madera, piso de hormigon techado de hierro galvanizado. Mide veinte (20) metros diez (10) centímetros de fondo, y en su interior tiene redondel para las peleas, asientos, departamento para restaurant, jaulas de gallos y otros anexos necesarios y correspondientes a la explotacion del negocio de gallera.
Inscrita a favor de Fernando Perez Mattei.
(Finca número 3867 Folio 116 del Tomo 318 de Yauco)
- B. URBANA: Solar número diez (10) del Bloque F del Plano de la Urbanización Lucchetti radicado en el Barrio Jacanas del Yauco compuesto de cuatrocientos dos (402) metros cuadrados y tres (3) centímetros cuadrados; colindando por el NORTE diez (10) metros con treintiun (31) centímetros cuadrados con el solar F cuatro (F-4); por el SUR en veinte (20) metros setenta y ocho (78) centímetros con la calle numero 8 de la Urbanizacion; por el ESTE en veinticuatro metros noventa y un centímetros (24.91) con el solar F once (F-11) y por el OESTE en veintisiete (27) metros dieciocho (18) centímetros con los solares F uno (F-1) y F dos (F-2). Enclava una casa de hormigón reforzado y bloques de una sola planta dedicada a vivienda.
Inscrita a favor de Fernando Perez Mattei.
(Finca # 5655 Folio 56 Tomo 176 de Yauco, pasa al folio movil de Yauco).

INDICTMENT
Page 13

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

COUNT FIVE

1. The allegations of Count One and Two of this Indictment are realleged and by reference incorporated herein for the purpose of alleging forfeitures, pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offense charged in Count One and Two of this Indictment, the defendant herein,

[26] INES GARCIA-CHERENA;

shall forfeit to the United States any and all property constituting or derived from any proceeds said

INDICTMENT

Page 14

defendant obtained directly or indirectly as a result of the said violation, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One and Two of this Indictment, as to which property the defendants are jointly and severally liable, including but not limited to the following real estate property more fully described in the Puerto Rico Property Registry, as:

- A. RUSTICA: Parcela de terreno identificado como lote G guion 8 (G-8) sita en el Barrio Montalva del Termino Municipal de Guanica, Puerto Rico con una cabida superficial de cuatrocientos setenta y cinco metros cuadrados con ochocientos treinta y ocho milésima de otro (475.838 metros cuadrados) en lindes por el NOROESTE con la Carretera Estatal Numero trescientos veinticinco (PR325) en veinte metros quinientos noventa milésima de otro (20.592 metros); por el SURESTE con el solar G guion nueve (G-9) de la Urbanizacion en catorce metros ochocientos cuarenta y cuatro milésima de otro (14.844 mts); por el NORESTE con los solares G guion diez (G-10) y G guion once (G-11) de la Urbanizacion en veinticuatro metros metros cuatrocientos noventa y dos milésimas de otro (24.492 mts.) y tres metros ciento setenta y tres milésima de otro (3.173 mts) respectivamente; y por el SUROESTE con el solar G guion siete (G-7) de la urbanizacion en veintiseis metros trescientos cuarenta y nueve milésimas de otro (26.349 mts). Inscrita a favor de Ines Garcia Cherena. (Finca #5655 Folio 153 Tomo 108 de Guanica).

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be subdivided without difficulty;

INDICTMENT
Page 15

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property. All in violation of Title 21, United States Code, Section 853.

COUNT SIX

1. The allegations of Count One and Two of this Indictment are realleged and by reference incorporated herein for the purpose of alleging forfeitures, pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offense charged in Count One and Two of this Indictment, the defendant herein,

[3] ELLIOT GIRAUD-PiÑEIRO,
aka "Pivi;"

shall forfeit to the United States all property, real and personal, constituting, or derived from proceeds this defendant obtained directly or indirectly as the result of such violations.

3. In the event any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be subdivided without difficulty;

INDICTMENT

Page 16

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853, to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property, including but not limited to the following properties, more fully described in the Puerto Rico Property Registry, as:

- A. PARCELA "A": URBANA: parcela de terreno radicada en el Barrio Jaguas del término municipal de Guayanilla Puerto Rico, con una cabida de CERO PUNTO CINCO MIL SEISCIENTOS DOS CUERDAS, equivalentes a DOS MIL DOSCIENTOS UNO PUNTO SEIS MIL NOVECIENTOS VEINTISEIS METROS CUADRADOS, en lindes por el Norte, con la finca principal de la cual se segrega; por el Sur, con la intersección de la Avenida Pedro Albizu Campos y la Carretera estatal PR-127 y con la parcela B a ser dedicada a uno público; por el Este, con la Avenida Pedro Albizu Campos y por el Oeste, con la finca principal de la cual se segrega.
Inscrita a favor de Elliot Giraud Piñeiro y Astrid Donate Giraud.
(Finca # 6,188; Folio Movil Tomo 11 de Guayanilla)

- B. PARCELA PARA USO PUBLICO: PARCELA "B": URBANA: Parcela de terreno radicada en el Barrio Jaguas del término municipal de Guayanilla, P.R. con una cabida de CERO PUNTO CERO CERO NOVENTA Y UNA CUERDAS, equivalente a TREINTA Y CINCO PUNTO TRES MIL CUATROCIENTOS CUARENTA Y CUATRO METROS CUADRADOS, en lindes por el Norte, con la Parcela A y el remanente de la finca principal; por el Sur, con la carretera estatal PR-127; por el Este, con la intersección de la carretera estatal PR-127 y la Avenida Pedro Albizu Campos y por el Oeste, con United States Post Office y la carretera estatal PR-127.
Inscrita a favor de Elliot Giraud Piñeiro y Astrid Donate Hernández.
(Finca # 6,189; Folio Movil Tomo 11 de Guayanilla)

- C. URBANA: Parcela de terreno radicada en el Barrio Jaguas del término municipal de Guayanilla, Puerto Rico con una cabida de UNO PUNTO CUATRO MIL TRESCIENTOS OCHENTA Y CINCO CUERDAS, equivalentes a CINCO MIL SEISCIENTOS CINCUENTA Y TRES PUNTO TRESCIENTOS SESENTA Y TRES METROS CUADRADOS, en lindes por el Norte con United States Post Office; por el Sur, con la parcela A y la parcela B, dedicada a uso público; por el Este, con la parcela A y la Avenida Pedro Albizu Campos; y por el Oeste, con United States Post Office.
En el Remanente de esta finca luego de descontadas la Parcela A de 2,201.6926 m/c y la Parcela B de 35.9444 m/c para ser dedicada a uso público.
Inscrita a favor de Elliot Giraud Piñeiro y Astrid Donate Hernández.
(Finca #3,690; Folio Móvil Tomo 6 de Guayanilla)

INDICTMENT

Page 17

- D. RUSTICA: PARCELA AGRICOLA radicada en el Barrio Indios de Termino Municipal de Guayanilla, Puerto Rico, compuesta de VEINTICINCO PUNTO OCHO (25.08) CUERDAS en lindes por el NORTE con el Rio Guayanilla; SUR con camino publico; por el ESTE con terrenos de la Sucesion de Mario Mercado Riera y por el OESTE con terrenos de la Sucesion de Mario Mercado Riera.
Pendiente de Inscripcion a nombre de Elliot Giraud Piñeiro y Astrid Annette Donate Hernandez.
Asiento de presentacion 159 del Tomo 202 Ponce II.
- E. RUSTICA: PARCELA AGRICOLA radicada en el Barrio Playa, hoy Barrio Rufina del término Municipal de Guayanilla, Puerto Rico compuesto de CATORCE (14) CUERDAS, equivalentes a cinco (5) hectareas, cincuenta (50) áreas y cuarenta y una centiáreas y once (11) miliáreas mas o menos y en lindes: NORTE Servidumbre de paso y acceso concedida por la Antigua Sociedad de Mario Mercado e Hijos para la Carretera Estatal Puerto Rico número trescientos treinta y cinco(335); SUR la servidumbre de paso y acceso concedida por la Antigua Sociedad de Mario Mercado e Hijos para la Carretera Municipal El Faro, hoy Carretera Estatal Puerto Rico número quinientos ochenta y dos (582); ESTE, con los terrenos de la Sucesion Mario Mercado Riera; OESTE, la servidumbre de paso y acceso concedida por la Antigua Sociedad Mario Mercado e Hijos para la Carretera Municipal El Faro, hoy Carretera Estatal Puerto Rico quinientos ochenta y dos (582).
Pendiente de Inscripcion a nombre de Elliot Giraud Piñeiro y Astrid Annette Donate Hernandez.
Asiento de presentacion 159 del Tomo 202 Ponce II.
- F. RUSTICA: PARCELA AGRICOLA radicada en el Barrio Rufina del Término Municipal de Guayanilla, Puerto Rico compuesto de SETENTA Y SEIS MIL QUINIENTOS TREINTA PUNTO SEIS MIL DOSCINETOS CUARENTA Y UN (76,530.6241) METROS CUADRADOS equivalentes a DIECINUEVE PUNTO CUATRO MIL SETECIENTOS QUINCE (19.4715) equivalentes a siete (7) hectáreas, sesenta y cinco (65) áreas, treinta (30) centiáreas y sesenta y dos (62) miliáreas mas o menos en lindes por el NORTE; con Sucesion Blasini y el remanente de la finca perteneciente a la Sucesion Mandry Mercado; por SUR con las fajas de TERRENO DEDICADAS A USO PUBLICO rotuladas Ay B pertenecientes a la Sucesion Mandry Mercado que se segregan en el caso 98-61-C-428 PPI aprobado por la Administracion de Reglamentos y Permisos del Estado Libre Asociado de Puerto Rico y el Estado Libre Asociado(Departamento de Instrucción); por el ESTE con la FAJA DE TERRENO DEDICADA A USO PUBLICO rotulados A y B pertenecientes a la Sucesion Mandry Mercado que se segregan en el caso 98-61-C-428PPI aprobado por la Administracion de Reglamentos y Permisos del Estado Libre Asociado de Puerto Rico y el Estado Libre Asociado(Departamento de Instrucción); y por el OESTE con remanente de la finca y el Estado Libre Asociado.
Pendiente de Inscripcion a nombre de Elliot Giraud Piñeiro y Astrid Annette Donate Hernandez.

INDICTMENT

Page 18

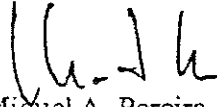
Asiento de presentacion 159 del Tomo 202 Ponce II.

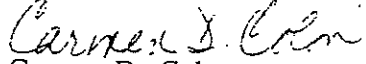
All in violation of Title 21, United States Code, Section 853.

TRUE BILL

FOREPERSON

GUILLERMO GIL
United States Attorney


Miguel A. Pereira
Assistant U.S. Attorney
Deputy Chief, Criminal Division


Carmen D. Colon
Special Assistant U.S. Attorney

Dated: May 5, 1999